

United States District Court

NORTHERN DISTRICT OF GEORGIA

ORIGINAL

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

CRAIG FRANKLIN

CASE NUMBER: 1:11-MJ-FILED IN CHAMBERS

(Name and Address of Defendant)

OCT 27 2011  
U.S. MAGISTRATE JUDGE  
N.D. GEORGIA

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. Between October 7, 2011 and October 24, 2011, in the Northern District of Georgia, the defendant did,

knowingly cause false representations to be made with respect to information required to be kept in the records of Moss Pawn, Dixie Gun and Pawn, and Guns and Gold Pawn, federal firearms dealers,


in violation of Title 18 United States Code, Section(s) 924(a)(1)(A).

I further state that I am a Special Agent of the Bureau of Alcohol, Tobacco, Firearms and Explosives and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof.

(X) Yes ( ) No



Signature of Complainant  
ERIC J. DEGREE

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

October 27, 2011

Date

at

Atlanta, Georgia

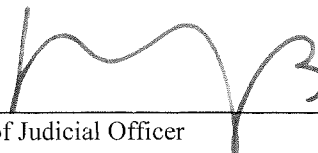
City and State

Alan J. Baverman

United States Magistrate Judge

Name and Title of Judicial Officer

AUSA Jill E. Steinberg



Signature of Judicial Officer

### AFFIDAVIT

1. I, Eric J. DeGree, am a Special Agent (S/A) with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since May of 2000. Previously, I was a Criminal Investigator for the Internal Revenue Service (IRS), Inspection Service and a S/A with the Treasury Inspector General for Tax Administration (TIGTA).
2. This affidavit is based upon my personal knowledge and observations, as well as those of other ATF Agents and local law enforcement officers. This affidavit contains information to support probable cause but is not intended to convey the facts of the entire investigation.
3. An ATF investigation revealed that, between July 14, 2011 and October 24, 2011, Craig FRANKLIN, DOB: 05/22/1989, purchased approximately fifty-four (54) firearms from multiple federal firearm licensees (FFLs). Forty-four (44) of FRANKLIN'S purchases occurred in the Northern District of Georgia (NDGA). Ten (10) of FRANKLIN'S purchases occurred in the Middle District of Georgia (MDGA).
4. During all of the above firearms purchases, FRANKLIN filled out an ATF Form 4473, Firearm Transaction Record, indicating that he was the "actual purchaser" of the firearm and also provided personal information including his current address. An ATF Form 4473 is a form required to be kept by FFLs.
5. ATF records disclosed that FRANKLIN purchased multiple identical firearms, including, but not limited to, the following: Smith and Wesson, Model: SW40VE, .40 caliber pistols; Smith and Wesson, Model: SW9VE, 9mm pistols; Taurus, .410/.45 caliber revolvers; Jimenez, Model: JA Nine, 9mm pistols; Beretta, Model: PX4 Storm, .40 caliber pistols; and FN, Model: 5-7, 5.7 caliber pistols.
6. My training and experience leads to me to believe that the nature and number of FRANKLIN'S purchases are consistent with prior investigations of individuals purchasing firearms to re-sell. My training and experience leads me to believe that FRANKLIN'S pattern of purchasing multiple firearms from different FFLs suggests a pattern of attempting to avoid detection by ATF.
7. On each ATF Form 4473, which FRANKLIN completed to purchase the above firearms, he listed his current address as 2106 Tiger Flowers Drive, Atlanta, GA 30314. On various dates in August of 2011 and specifically on October 6, 2011, ATF agents conducted surveillance on the aforementioned residence. On each occasion, the residence appeared to be abandoned and had a lock box attached to the front door. The power meter for the residence was also removed. On October 6, 2011, ATF S/As were able to look inside the residence through an open window and did not see any sign of habitation.

8. On October 7, 2011, FRANKLIN purchased a Masterpiece Arms, Model: MPA, 9mm pistol and a Century Arms, Model: Draco, 7.62 caliber pistol from Moss Pawn. Moss Pawn is located in the Northern District of Georgia. On the ATF, Form 4473, which documented the purchase, FRANKLIN listed his current residence as 2106 Tiger Flowers Drive, Atlanta, GA 30314.
  9. On October 11, 2011, FRANKLIN purchased a Ruger, Model: SR9C, 9mm pistol and a Taurus, Model: 24/7, .40 caliber pistol from Dixie Gun and Pawn (DGP). DGP is located in the Northern District of Georgia. On the ATF, Form 4473, which documented the purchase, FRANKLIN listed his current residence as 2106 Tiger Flowers Drive, Atlanta, GA 30314.
  10. On October 24, 2011, FRANKLIN purchased a Taurus, Model: Public Defender, .45/410 caliber revolver from Guns and Gold Pawn. Guns and Gold Pawn is located in the Northern District of Georgia. On the ATF Form 4473, which documented the purchase, FRANKLIN listed his current residence as 2106 Tiger Flowers Drive, Atlanta, GA 30314.
  11. On October 26, 2011, ATF S/As interviewed FRANKLIN after he signed an ATF Form 3200.4 (Advice of Rights and Waiver) and waived his rights. FRANKLIN stated that his current residence was 173 Laurel Avenue, Atlanta, Georgia 30314 and that he has lived there since May of 2011. This residence is located in the Northern District of Georgia. FRANKLIN stated that he purchased the above fifty-four (54) firearms for an individual he knew as WALL and that WALL gave him approximately \$200.00 each time he purchased firearms for him.
  12. Based upon the above information, I believe that there is probable cause to believe that Craig FRANKLIN knowingly caused false information to be kept in the records of a FFL in violation of Title 18, United States Code, Section 924 (a) 1(A).
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